

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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RONALD LIPTON and BRETT LIPTON,

NOTICE OF MOTION

Plaintiffs,

00 CIV 319 (HGM)(RFT)

-against-

JOHN WOOTON, KEVIN LANE, EDWIN BREWSTER, TOWN
OF WOODSTOCK, TOWN OF SAUGERTIES, GREG
HULBERT, Chief of the Town of Saugerties Police Department,
and JOHN DOE, an unidentified Town of Saugerties Police
Officer,

Defendants.

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S I R (S):

PLEASE TAKE NOTICE, that upon the annexed affidavit David L. Posner, Esq., sworn to the 3rd day of July, 2003, the affidavit of John Wooton, sworn to the 23rd day of June, 2003, the affidavit of Harry Baldwin, sworn to the 13th day of June, 2003, the affidavit of George France, sworn to 10th day of June, 2003 and the affidavit of Peter Matera, sworn to the 3rd day of July, 2003, the attached exhibits, deposition transcripts, memorandum of law and Rule 7.1 statement, the Woodstock defendants will move for an order pursuant to Rule 56 of the Federal Rules of Civil Procedure granting partial summary judgment dismissing portions of plaintiffs' amended complaint, said motion to be heard before this Court on the 27th day of September, 2004 at 11:00 a.m. at the courthouse located at James T. Foley Courthouse, 445 Broadway, Albany, NY 12207-2974.

DATED: Poughkeepsie, New York
July 3, 2003

Yours, etc.

McCABE & MACK LLP

By: s/David L. Posner

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